

97th Congress
2nd Session

A BILL

To amend subchapter II of chapter 53 of title 5, United States Code, by revising the annual rates of basic pay for the Director of Central Intelligence and for the Deputy Director of Central Intelligence.

1 Be it enacted by the Senate and House of Representatives of the United
2 States of America in Congress assembled, That section 5312 of title 5, United
3 States Code, is amended by adding at the end thereof "Director of Central
4 Intelligence."

5 Section 2. Section 5313 of title 5, United States Code, is amended by
6 inserting the word "Deputy" immediately before the words "Director of Central
7 Intelligence."

8 Section 3. Section 5314 of title 5, United States Code, is amended by
9 striking "Deputy Director of Central Intelligence."

10 Section 4. Nothing in this Act shall be construed to authorize an increase
11 in the annual rate of basic pay for the position of Director of Central
12 Intelligence payable to any individual serving in that position on the
13 date of enactment of this Act.

14 Section 5. Nothing in this Act shall be construed to authorize an
15 increase in the annual rate of basic pay for the position of Deputy
16 Director of Central Intelligence payable to any individual serving in that
17 position on the date of enactment of this Act.

SECTIONAL ANALYSIS AND EXPLANATION

Section 1: Section 5312 of title 5, United States Code, currently lists fourteen positions which have an annual rate of basic pay at level I of the Executive Schedule. This amendment would add the Director of Central Intelligence to the list.

Section 2: Section 5313 of title 5, United States Code, sets forth those positions which have an annual rate of basic pay at level II of the Executive Schedule. The Director of Central Intelligence is presently included in this listing. The amendment would change the listed position of Director of Central Intelligence to Deputy Director of Central Intelligence.

Section 3: Given the addition of the Deputy Director of Central Intelligence to the Executive Schedule level II positions listed in Section 5313, it becomes necessary to amend Section 5314 of title 5, United States Code, to strike the Deputy Director of Central Intelligence from the positions listed as receiving an annual rate of basic pay at level III of the Executive Schedule.

Section 4: This section is designed to preclude the individual serving as Director of Central Intelligence on the date of enactment of the amendment to 5 U.S.C. 5312 from receiving, as a result of the amendment, an increase in his annual rate of basic pay for service in that position.

Section 5: This section is designed to preclude the individual serving as Deputy Director of Central Intelligence on the date of enactment of the amendment to 5 U.S.C. 5313 from receiving, as a result of the amendment, an increase in his annual rate of basic pay for service in that position.

Sections four and five have been structured as separate sections so that an individual serving as Deputy Director of Central Intelligence on the date of enactment of the Act would receive basic pay at Executive Schedule level I if he were to subsequently serve as Director of Central Intelligence.

CHANGES IN EXISTING LAW

Changes in existing law are shown as follows: existing law in which no change is proposed is shown in roman; existing law proposed to be struck is enclosed in brackets; new material is underscored.

5 U.S.C. 5312

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Director of Central Intelligence.

5 U.S.C. 5313

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Deputy Director of Central Intelligence.

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5 U.S.C. 5314

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[Deputy Director of Central Intelligence.]

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COST ESTIMATE

There would be no increased cost to the United States until such time as an individual other than the individual serving as Director of Central Intelligence on the date of enactment of the amendment to 5 U.S.C. 5312 becomes Director of Central Intelligence. At such time, the increased cost resulting from the amendment to 5 U.S.C. 5312 would be the then-applicable difference between the annual rate of basic pay payable for positions listed at level I of the Executive Schedule and those listed at level II.

Similarly, there would be no increased cost to the United States until such time as an individual other than the individual serving as Deputy Director of Central Intelligence on the date of enactment of the amendment to 5 U.S.C. 5313 becomes Deputy Director of Central Intelligence. At such time, the increased cost resulting from the amendment to 5 U.S.C. 5313 would be the then-applicable difference between the annual rate of basic pay payable for positions listed at level II of the Executive Schedule and those listed at level III.

It should be noted that actual increased cost would also be affected by a future appointment of a commissioned officer of the armed services to the position of Director or Deputy Director of Central Intelligence. Subsection 102(b)(2) of the National Security Act of 1947 (50 U.S.C. 403(b)(2)) would then be applicable to the receipt by such individual of military pay and allowances, and such individual would receive additional compensation as a result of the amendments to 5 U.S.C. 5312 or 5313 only to the extent to which the annual rate of basic pay payable for positions listed at level I or II of the Executive Schedule exceeded the amount of annual military pay and allowances he received.